

PART B - FEE(S) TRANSMITTAL

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24222 7590 03/08/2005

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Debra A. Stengel (Depositor's name)
Debra A. Stengel (Signature)
March 15, 2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,757	06/08/2001	Elizabeth Varriano-Marston	MARS93-DIV	3933

TITLE OF INVENTION: REGISTERED MICROPERFORATED FILMS FOR MODIFIED/CONTROLLED ATMOSPHERE PACKAGING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$700 \$700	\$0	\$700 \$700	06/08/2005
EXAMINER		ART UNIT	CLASS-SUBCLASS		
PATTERSON, MARC A		1772	428-034100		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. maine & Asmus
2.
3.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 3

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☒ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Scott A. Asmus

Date

March 15, 2005

Typed or printed name

Scott A. Asmus

Registration No.

42,269

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 14 Alexandria, Virginia 22313-1450.

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CUSTOMER NO. 24222

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: VARRIANO-MARSTON, Elizabeth

Group Art Unit: 1772

Serial No. 09/877,757

Examiner: Patterson, Marc

Filed: 06/08/2001

Atty. Dkt. No: MARS93-DIV

For: REGISTERED MICROPERFORATED FILMS FOR MODIFIED/CONTROLLED
ATMOSPHERE PACKAGINGTo: Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

From:

24222

Commissioner:

LETTER OF TRANSMITTAL

1. Transmitted herewith is Credit Card Payment Form PTO-2038, in the amount of \$ 709.00 or the issue fee, publication fee, if applicable and 3 advance copies, payable to the Commissioner of Patents and Trademarks, PTOL-85B Issue Fee Transmittal, and PTO/SB/47 Fee Address Form.

2. Drawings: were previously approved.

3. DEPOSIT ACCOUNT 500323 AUTHORIZATION – All fees relating to the attached submittal are intended to be included herein. The office is however, hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the attached submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus. agents.

CUSTOMER NO. 24222

4. ☒ COMMENTS ON REASON FOR ALLOWANCE

The Applicant thanks the Office for providing reasons for allowance. However, the Applicant believes that the record as a whole amply supports the allowance of the claims and such further comments by the Office do not represent the full scope of the invention as defined in each of the claims. The Office merely recites elements of claim 1 as the reasons for allowance, and the Applicant wishes to ensure that such statement does not give rise to a presumption of acquiescence to those reasons, and the negative inferences that flow therefrom. Applicant believes that the allowed claims 1-4, 6-12, 14, 21 and 22 including 1 independent claim are best interpreted in light of the record as a whole and not on the reasons presented in the Notice of Allowance.

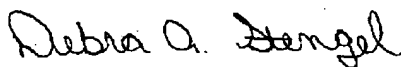
Respectfully submitted,



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CERTIFICATE OF Facsimile 37 CFR 1.8: I certify that this correspondence is being faxed on the below date to Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, Fax #. 703-746-4000, Telephone #: 703-305-8594.

Date: March 15, 2005
☒ Debra A. Stengel